
By: **Allegany County Delegation**

Introduced and read first time: February 1, 2001

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Allegany County - Roadside Trees - Cutting Without a Permit**

3 FOR the purpose of authorizing Allegany County to trim or cut down roadside trees of
4 less than 3 inches in diameter without first obtaining a permit from the
5 Department of the Environment.

6 BY repealing and reenacting, with amendments,
7 Article - Natural Resources
8 Section 5-406(a)
9 Annotated Code of Maryland
10 (2000 Replacement Volume)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
12 MARYLAND, That the Laws of Maryland read as follows:

13 **Article - Natural Resources**

14 5-406.

15 (a) Any person who desires to cut down or trim any roadside tree shall apply
16 to the Department for a permit, except that:

17 (1) [if] IF a tree is unrooted or its branches broken so as to contact
18 telephone, telegraph, electric power, or other wires carrying electric current, or if the
19 tree or its branches endanger persons or property, the tree or its branches may be
20 removed without first obtaining a permit from the Department; [and]

21 (2) [a] A tree standing within the right-of-way of a public road which
22 has not been surfaced with either stone, shell, gravel, concrete, brick, asphalt, or
23 other improved surface may be cut down and removed by the abutting landowner for
24 his own use without first obtaining a permit; AND

25 (3) A ROADSIDE TREE IN ALLEGANY COUNTY OF LESS THAN 3 INCHES IN
26 DIAMETER MAY BE TRIMMED OR CUT DOWN BY THE COUNTY WITHOUT FIRST
27 OBTAINING A PERMIT FROM THE DEPARTMENT.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2001.